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September 2, 2021

Hon. Susan Richard Nelson  
United States District Judge  
Warren E. Burger Federal Building & United States Courthouse  
316 North Robert Street  
St. Paul, MN 55101

RE: *Carol Bunker, as trustee for the next of kin of Stephanie Rose Bunker v. Barb Fitzgerald et al.*, Case No. 20-cv-1456 (SRN/LIB)

Dear Judge Nelson:

Pursuant to instructions from chambers, I write to inform the Court that with the assistance of retired United States Magistrate Judge Arthur J. Boylan, this matter was fully settled at private mediation on August 25, 2021. The parties intend to submit settlement documents and stipulations of dismissal in the near future.

As this case involved the death of Plaintiff's daughter and Plaintiff was appointed trustee for the next of kin pursuant to Minnesota Statutes Section 573.02, the settlement and distribution require Court approval. Plaintiff intends to submit to the Court a petition for approval of the settlement and distribution of the settlement proceeds and is informed and believes that all of the next of kin will consent in writing to the proposed distribution. In addition, Plaintiff and nearly all of the next of kin reside in the Bemidji area. In light of this fact and the anticipated written consent of all interested parties, Plaintiff respectfully requests that this Court resolve the petition, on the papers to be filed and without a hearing. I have spoken with defense counsel Jason Hiveley and Anthony Novak, and they agree to this proposal. In the unlikely event Plaintiff is unable to secure written consent from each of the next of kin, Plaintiff will so inform the Court and explore other avenues for approval at that time.

Very truly yours,

*s/Robert Bennett*